

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STATE OF WASHINGTON,

C17-5806RJB

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant.

UGOCHUKWU GOODLUCK
NWAUZOR, FERNANDO
AGUIRRE-URBINA, individually and
on behalf of all those similarly
situated,

C17-5769RJB

Plaintiffs,

v.

THE GEO GROUP, INC., a Florida
corporation,

Defendant

ORDER DENYING MOTION FOR
RECONSIDERATION

This matter comes before the Court on Defendant's Motion for Reconsideration (Dkt. 445 in C17-5806RJB; Dkt. 324 in C17-5769RJB). The Court ordered responses and replies,

1 which have been received and considered. (Dkts. 447 & 448 in C17-5806RJB; Dkts. 327 & 328
2 in C17-5769RJB). The Court is fully advised.

3 The Court is satisfied that the Court's Order Granting Motion for Trial Setting in Person
4 or Zoom and Setting Schedule (Dkt. 444 in C17-5806RJB; Dkt. 323 in C17-5769RJB), which is
5 the subject of this motion, does not contain manifest error, and should not be reconsidered.
6 (Western District of Washington Local Civil Rule 7(h)(l)).

7 IT IS SO ORDERED.

8 The Court does, however, want to make the following points:

9 1. We are all victims of the pandemic, and it continues to swirl around us. Its future is
10 unknown, and future court closures are entirely possible. Whether Defendant's optimism is well
11 placed, or misplaced, remains to be seen. This case, and many others, demand resolution. The
12 length of further delay necessary to wait for full opening of in-person trials is unknown. It could
13 be July, or many, many months away, far beyond July.

14 2. The defense suggests that the disposition of the *Weger v. Correct Care* case (WAWD
15 Cause Number 3:19-cv-5961RJB), removing it from the Court's calendar, leaves dates open in
16 July. That is not the situation. The Court has managed to free up June for these cases. Even
17 after the *Weger* disposition, July remains fully set, three to five cases deep, with one to three
18 priority criminal cases set to start each week, including a ten-day murder case set on July 19,
19 2021. Simply moving this case to July is not an option, and the Court's calendar is similarly
20 heavily set through March 2022.

21 3. More details regarding the procedure at a Zoom trial can be dealt with as trial nears.
22 Counsel should be listing procedural questions and issues, so that such matters may be dealt with
23 not later than the supplemental Pretrial Conference set for May 21, 2021.

1 4. It is the Court's hope that, at least, we can have "hybrid" trial, with some parts being
2 conducted in person and traditionally, with COVID-19 precautions. Cooperation, good humor,
3 and flexibility can help to produce a fair trial for all concerned.

4 Dated this 9th day of April, 2021.

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7 ROBERT J. BRYAN
8 United States District Judge
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